



PTO/SB/21 (01-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/936,588	
	Filing Date	March 29, 2002	
	First Named Inventor	Ming-Qun Xu	
	Art Unit	1636	
	Examiner Name	T. McKelvey	
Total Number of Pages in This Submission	2	Attorney Docket Number	NEB-163-PUS

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Response to Restriction Requirement (elected Group I, claims 1-25).	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Harriet M. Strimpel (Reg. No. 37008)
Signature	<i>Harriet Strimpel</i>
Date	11/13/03

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8/18/03	
Typed or printed	Melissa A. Jackson
Signature	<i>Melissa A. Jackson</i>
Date	8/18/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RECEIVED
AUG 25 2003
TECH CENTER 1600/2900



Docket No.: NEB-163-PUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ming-Qun Xu

EXAMINER: T. McKelvey

SERIAL NO.: 09/936,588

GROUP: 1636

FILED: March 29, 2002

FOR: Method For Generating Split, Non-Transferable Genes That Are
Able To Express An Active Protein Product

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated July 24, 2003 in which a restriction requirement under 35 U.S.C. §121, Applicants hereby provisionally elect Group I, claims 1-25, and cancel claims 26-32 without prejudice.

Should the Examiner wish to discuss any of the Remarks made herein, the undersigned attorney would appreciate the opportunity to do so. Thus, the Examiner is authorized to call the undersigned collect at the number shown below.

Respectfully submitted,

NEW ENGLAND BIOLABS, INC.

Dated: 11/13/03

Customer No. 28986

Harriet M. Strimpel, D.Phil.
(Reg. No. 37008)
Attorney for Applicants
32 Tozer Road
Beverly, Massachusetts 01915
(978) 927-5054; Ext. 373

RECEIVED
AUG 25 2003
TECH CENTER 1600/2900